UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,970	11/20/2001	Andreas Prokoph	DE920000094US1/2265P	1657

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EXAMINER
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ART UNIT	PAPER NUMBER
2171	2

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/989,970	PROKOPH, ANDREAS
	Examiner	Art Unit	
	Hanh B Thai	2171	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 November 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-23</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-23</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 November 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

This is in response to application filed November 20, 2001 in which claims 1-23 are

presented for examination.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

1.   Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Meyerzon et

al. (US Patent no. 6,631,369) in view of Nelson et al. (US Patent no. 6,243,713).

Regarding claims 1 and 9, Meyerzon discloses a method for retrieving information using

a search engine comprising the steps of:

(a) retrieving a document to be indexed (see col.4, lines 43-54, Meyerzon);

(b) generating a document extract corresponding to the document (see col. 4, lines 53-67,

Meyerzon); and

(d) storing the plurality of tokens in a search index, wherein the search engine accesses

the search index to retrieve information in one or more document extracts satisfying a search

query (see col. 7, lines 44-65 and col.8, lines 1-10, Meyerzon).

Meyerzon, however, does not explicitly disclose (c) decomposing the document extract

into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for retrieval of

multimedia information including the decomposing the document into a plurality of tokens (see

abstract of Nelson). It would have been obvious to one of ordinary skill in the art at the time of

the invention to modify Meyerzon to include the claimed feature as taught by Nelson. The

motivation of doing so would have been to improve the efficiency of incremental crawls that are

used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Regarding claim 17, Meyerzon discloses a system for retrieving information, wherein the

system includes a search engine comprising:

- means for retrieving a document from a document repository (see col.4, lines 43-54

  and element 200, Fig.2 and corresponding text, Meyerzon);

- an information extractor coupled to the means for retrieving, wherein the information

  extractor generates a document extract corresponding to the document (see col. 4,

  lines 53-67, Meyerzon). Each document is retrieved form the web site process and the

  data is extracted from each of these retrieved documents. Therefore, there must be an

  extractor for the extracting process;

- a storage device (100, Fig.2 and corresponding text, Meyerzon) coupled to the

  information extractor for storing the document extract;

- a search engine indexer (300, Fig.2) coupled to the storage device; and

- a search index (400, Fig.2) coupled to the search engine indexer for storing the

  plurality of tokens, wherein the search engine accesses the search index to retrieve

  information in one or more document extracts satisfying a search query (see col. 7,

  lines 44-65 and col.8, lines 1-10; Fig.2 and corresponding text, Meyerzon).

Meyerzon, however, does not explicitly disclose the step of decomposing the document

extract into a plurality of tokens. Nelson, on the other hand, discloses the retrieval system for

retrieval of multimedia information including the decomposing the document into a plurality of

tokens (see abstract of Nelson). It would have been obvious to one of ordinary skill in the art at

the time of the invention to modify Meyerzon to include the claimed feature as taught by Nelson.

The motivation of doing so would have been to improve the efficiency of incremental crawls that

are used to manage document stores (see col. 3, lines 65-67, Meyerzon).

Regarding claims 2, 10 and 18, Meyerzon/Nelson combination further discloses the steps

of (b1) extracting a portion of the document that characterizes the document's subject content to

form the document extract; and (b2) recording positional information of the portion extracted

within the document (see col. 6, lines 1-10, Nelson).

Regarding claims 3 and 11, Meyerzon/Nelson combination further discloses the step of

storing the document extract in a storage device (see Fig.2 and corresponding text, Meyerzon).

Regarding claims 4, 12 and 19, Meyerzon/Nelson combination further discloses the step

of storing the recorded positional information with the plurality of tokens (see col.6, lines 1-34,

Nelson).

Regarding claims 5 and 13, Meyerzon/Nelson combination further discloses the step

Meyerzon/Nelson combination further discloses extracting from the document a collection of

sentences that are characteristic of the document's subject content to form a document summary
(see abstract, col.6, lines 1-34, Nelson).

Regarding claims 6 and 14, Meyerzon/Nelson combination further discloses the step of
selecting from the document extract one of a whole sentence, a portion of a sentence, a word, and
a feature (see col.6, lines 1-34, Nelson).

Regarding claim 20, Meyerzon/Nelson combination further discloses the plurality of
tokens comprises one of a whole sentence, a portion of a sentence, a word, and a feature of the
document (see col.7, lines 46-67 and col.9, lines 60-65, Nelson).

Regarding claims 7, 15 and 21, Meyerzon/Nelson combination further discloses the step
of selecting based on frequency of occurrence, word-salient-measure, proximity to the beginning
of a paragraph, proximity the beginning of the document, and proximity to or position within a
heading or a caption (see col. 19, lines 39-51, Nelson).

Regarding claims 8, 16 and 22, Meyerzon/Nelson combination further discloses that the
document is a web-page in the Internet (see Fig.2, Meyerzon).

Regarding claim 23, Meyerzon/Nelson combination further discloses the means for
retrieving the document is a web crawler (see abstract of Meyerzon).

Conclusion

2.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

1. Woods (US Patent no. 5,724,571) discloses a method and apparatus for generating

query responses in a computer-based document retrieval system.

2. Van den Akker (US Patent no. 6,415,250) discloses a system and method for

identifying language using morphologically based techniques.

3. Tateno (US Patent no. 5,778,400) discloses a method for storing, searching for and

retrieving text of a structured document provided with tags.

4. Wittgreffe et al. (US Patent no. 6,253,208) discloses an information access system.

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hanh B Thai whose telephone number is 703-305-4883. The

examiner can normally be reached on 8 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Hanh Thai
Art Unit 2171
April 14, 2004

UYEN LE
PRIMARY EXAMINER